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§ 361.1 Definitions.

Terms used in the singular form in this part shall be construed as the plural, and vice versa, as the case may demand. The following terms, when used in this part, shall be construed, respectively, to mean:

Administrator. The Administrator of the Animal and Plant Health Inspection Service, U.S. Department of Agriculture, or any other individual to whom the Administrator delegates authority to act in his or her stead.

Agricultural seed. The following kinds and varieties of grass, forage, and field crop seed that are used for seeding purposes in the United States:

- Agrotricum—*x Agrotriticum* Ciferri and Giacom.
Alfalfa—*Medicago sativa* L.
Alfileria—*Erodium cicutarium* (L.) L'Her.
Alyceclover—*Alysicarpus vaginalis* (L.) DC.
Bahiagrass—*Paspalum notatum* Fluegge
Barley—*Hordeum vulgare* L.
Barrelclover—*Medicago truncatula* Gaertn.
Bean, adzuki—*Vigna angularis* (Willd.) Ohwi and Ohashi
Bean, field—*Phaseolus vulgaris* L.
Bean, mung—*Vigna radiata* (L.) Wilczek
Beet, field—*Beta vulgaris* L. subsp. *vulgaris*
Beet, sugar—*Beta vulgaris* L. subsp. *vulgaris*
Beggarweed, Florida—*Desmodium tortuosum* (Sw.) DC.
Bentgrass, colonial—*Agrostis capillaris* L.
Bentgrass, creeping—*Agrostis stolonifera* L. var. *palustris* (Huds.) Farw.
Bentgrass, velvet—*Agrostis canina* L.
Bermudagrass—*Cynodon dactylon* (L.) Pers. var. *dactylon*
Bermudagrass, giant—*Cynodon dactylon* (L.) Pers. var. *aridus* Harlan and de Wet
Bluegrass, annual—*Poa annua* L.
Bluegrass, bulbous—*Poa bulbosa* L.
Bluegrass, Canada—*Poa compressa* L.
Bluegrass, glauca—*Poa glauca* Vahl
Bluegrass, Kentucky—*Poa pratensis* L.
Bluegrass, Nevada—*Poa secunda* J.S. Presl
Bluegrass, rough—*Poa trivialis* L.
Bluegrass, Texas—*Poa arachnifera* Torr.
Bluegrass, wood—*Poa nemoralis* L.
Bluejoint—*Calamagrostis canadensis* (Michx.) P. Beauv.
Bluestem, big—*Andropogon gerardii* Vitm. var. *gerardii*
Bluestem, little—*Schizachyrium scoparium* (Michx.) Nash
Bluestem, sand—*Andropogon hallii* Hack.
Bluestem, yellow—*Bothriochloa ischaemum* (L.) Keng
Bottlebrush-squirreltail—*Elymus elymoides* (Raf.) Swezey
Brome, field—*Bromus arvensis* L.
Brome, meadow—*Bromus biebersteinii* Roem. and Schult.
- Brome, mountain—*Bromus marginatus* Steud.
Brome, smooth—*Bromus inermis* Leyss.
Broomcorn—*Sorghum bicolor* (L.) Moench
Buckwheat—*Fagopyrum esculentum* Moench
Buffalograss—*Buchloe dactyloides* (Nutt.) Engelm.
Buffelgrass—*Cenchrus ciliaris* L.
Burclover, California—*Medicago polymorpha* L.
Burclover, spotted—*Medicago arabica* (L.) Huds.
Burnet, little—*Sanguisorba minor* Scop.
Buttonclover—*Medicago orbicularis* (L.) Bartal.
Canarygrass—*Phalaris canariensis* L.
Canarygrass, reed—*Phalaris arundinacea* L.
Carpetgrass—*Axonopus fissifolius* (Raddi) Kuhlm.
Castorbean—*Ricinus communis* L.
Chess, soft—*Bromus hordeaceus* L.
Chickpea—*Cicer arietinum* L.
Clover, alsike—*Trifolium hybridum* L.
Clover, arrowleaf—*Trifolium vesiculosum* Savi
Clover, berseem—*Trifolium alexandrinum* L.
Clover, cluster—*Trifolium glomeratum* L.
Clover, crimson—*Trifolium incarnatum* L.
Clover, Kenya—*Trifolium semipilosum* Fresen.
Clover, ladino—*Trifolium repens* L.
Clover, lappa—*Trifolium lappaceum* L.
Clover, large hop—*Trifolium campestre* Schreb.
Clover, Persian—*Trifolium resupinatum* L.
Clover, red or
 Red clover, mammoth—*Trifolium pratense* L.
 Red clover, medium—*Trifolium pratense* L.
Clover, rose—*Trifolium hirtum* All.
Clover, small hop or suckling—*Trifolium dubium* Sibth.
Clover, strawberry—*Trifolium fragiferum* L.
Clover, sub or subterranean—*Trifolium subterraneum* L.
Clover, white—*Trifolium repens* L. (also see Clover, ladino)
Clover—(also see Alyceclover, Burclover, Buttonclover, Sourclover, Sweetclover)
Corn, field—*Zea mays* L.
Corn, pop—*Zea mays* L.
Cotton—*Gossypium* spp.
Cowpea—*Vigna unguiculata* (L.) Walp. subsp. *unguiculata*
Crambe—*Crambe abyssinica* R.E. Fries
Crested dogtail—*Cynosurus cristatus* L.
Crotalaria, lance—*Crotalaria lanceolata* E. Mey.
Crotalaria, showy—*Crotalaria spectabilis* Roth
Crotalaria, slenderleaf—*Crotalaria brevidens* Benth. var. *intermedia* (Kotschy) Polh.
Crotalaria, striped or smooth—*Crotalaria pallida* Ait.
Crotalaria, sunn—*Crotalaria juncea* L.
Crownvetch—*Coronilla varia* L.
Dallisgrass—*Paspalum dilatatum* Poir.
Dichondra—*Dichondra repens* Forst. and Forst. f.

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Dropseed, sand— <i>Sporobolus cryptandrus</i> (Torr.) A. Gray	Oat— <i>Avena byzantina</i> C. Koch, <i>A. sativa</i> L., <i>A. nuda</i> L.
Emmer— <i>Triticum dicoccon</i> Schrank	Oatgrass, tall— <i>Arrhenatherum elatius</i> (L.) J.S. Presl and K.B. Presl
Fescue, chewings— <i>Festuca rubra</i> L. subsp. <i>commutata</i> Gaud.	Orchardgrass— <i>Dactylis glomerata</i> L.
Fescue, hair— <i>Festuca tenuifolia</i> Sibth.	Panicgrass, blue— <i>Panicum antidotale</i> Retz.
Fescue, hard— <i>Festuca brevipila</i> Tracey	Panicgrass, green— <i>Panicum maximum</i> Jacq. var. <i>trichoglume</i> Robyns
Fescue, meadow— <i>Festuca pratensis</i> Huds.	Pea, field— <i>Pisum sativum</i> L.
Fescue, red— <i>Festuca rubra</i> L. subsp. <i>rubra</i>	Peanut— <i>Arachis hypogaea</i> L.
Fescue, sheep— <i>Festuca ovina</i> L. var. <i>ovina</i>	Poa trivialis—(see Bluegrass, rough)
Fescue, tall— <i>Festuca arundinacea</i> Schreb.	Rape, annual— <i>Brassica napus</i> L. var. <i>annua</i> Koch
Flax— <i>Linum usitatissimum</i> L.	Rape, bird— <i>Brassica rapa</i> L. subsp. <i>rapa</i>
Galletagrass— <i>Hilaria jamesii</i> (Torr.) Benth.	Rape, turnip— <i>Brassica rapa</i> L. subsp. <i>silvestris</i> (Lam.) Janchen
Grama, blue— <i>Bouteloua gracilis</i> (Kunth) Steud.	Rape, winter— <i>Brassica napus</i> L. var. <i>biennis</i> (Schubl. and Mart.) Reichb.
Grama, side-oats— <i>Bouteloua curtipendula</i> (Michx.) Torr.	Redtop— <i>Agrostis gigantea</i> Roth
Guar— <i>Cyamopsis tetragonoloba</i> (L.) Taub.	Rescuegrass— <i>Bromus catharticus</i> Vahl
Guineagrass— <i>Panicum maximum</i> Jacq. var. <i>maximum</i>	Rhodesgrass— <i>Chloris gayana</i> Kunth
Hardinggrass— <i>Phalaris stenoptera</i> Hack.	Rice— <i>Oryza sativa</i> L.
Hemp— <i>Cannabis sativa</i> L.	Ricegrass, Indian— <i>Oryzopsis hymenoides</i> (Roem. and Schult.) Ricker
Indiangrass, yellow— <i>Sorghastrum nutans</i> (L.) Nash	Roughpea— <i>Lathyrus hirsutus</i> L.
Indigo, hairy— <i>Indigofera hirsuta</i> L.	Rye— <i>Secale cereale</i> L.
Japanese lawnglass— <i>Zoysia japonica</i> Steud.	Rye, mountain— <i>Secale strictum</i> (K.B. Presl) K.B. Presl subsp. <i>strictum</i>
Johnsongrass— <i>Sorghum halepense</i> (L.) Pers.	Ryegrass, annual or Italian— <i>Lolium multiflorum</i> Lam.
Kenaf— <i>Hibiscus cannabinus</i> L.	Ryegrass, intermediate— <i>Lolium×hybridum</i> Hausskn.
Kochia, forage— <i>Kochia prostrata</i> (L.) Schrad.	Ryegrass, perennial— <i>Lolium perenne</i> L.
Kudzu— <i>Pueraria montana</i> (Lour.) Merr. var. <i>lobata</i> (Willd.) Maesen and S. Almeida	Ryegrass, Wimmera— <i>Lolium rigidum</i> Gaud.
Lentil— <i>Lens culinaris</i> Medik.	Safflower— <i>Carthamus tinctorius</i> L.
Lespedeza, Korean— <i>Kummerowia stipulacea</i> (Maxim.) Makino	Sagewort, Louisiana— <i>Artemisia ludoviciana</i> Nutt.
Lespedeza, sericea or Chinese— <i>Lespedeza cuneata</i> (Dum.-Cours.) G. Don	Sainfoin— <i>Onobrychis viciifolia</i> Scop.
Lespedeza, Siberian— <i>Lespedeza juncea</i> (L. f.) Pers.	Saltbush, fourwing— <i>Atriplex canescens</i> (Pursh) Nutt.
Lespedeza, striate— <i>Kummerowia striata</i> (Thunb.) Schindler	Sesame— <i>Sesamum indicum</i> L.
Lovegrass, sand— <i>Eragrostis trichodes</i> (Nutt.) Wood	Sesbania— <i>Sesbania exaltata</i> (Raf.) A.W. Hill
Lovegrass, weeping— <i>Eragrostis curvula</i> (Schrad.) Nees	Smilo— <i>Piptatherum miliaceum</i> (L.) Coss.
Lupine, blue— <i>Lupinus angustifolius</i> L.	Sorghum— <i>Sorghum bicolor</i> (L.) Moench
Lupine, white— <i>Lupinus albus</i> L.	Sorghum, alatum— <i>Sorghum×alatum</i> L. Parodi
Lupine, yellow— <i>Lupinus luteus</i> L.	Sorghum-sudangrass— <i>Sorghum×drummondii</i> (Steud.) Millsp. and Chase
Manilagrass— <i>Zoysia matrella</i> (L.) Merr.	Sorghass— <i>Rhizomatous</i> derivatives of a johnsongrass×sorghum cross or a johnsongrass×sudangrass cross
Meadow foxtail— <i>Alopecurus pratensis</i> L.	Southernpea—(See Cowpea)
Medic, black— <i>Medicago lupulina</i> L.	Sourclover— <i>Melilotus indicus</i> (L.) All.
Milkvetch or cicer milkvetch— <i>Astragalus cicer</i> L.	Soybean— <i>Glycine max</i> (L.) Merr.
Millet, browntop— <i>Brachiaria ramosa</i> (L.) Stapf	Spelt— <i>Triticum spelta</i> L.
Millet, foxtail— <i>Setaria italica</i> (L.) Beauv.	Sudangrass— <i>Sorghum×drummondii</i> (Steud.) Millsp. and Chase
Millet, Japanese— <i>Echinochloa frumentacea</i> Link	Sunflower— <i>Helianthus annuus</i> L.
Millet, pearl— <i>Pennisetum glaucum</i> (L.) R. Br.	Sweetclover, white— <i>Melilotus albus</i> Medik.
Millet, proso— <i>Panicum miliaceum</i> L.	Sweetclover, yellow— <i>Melilotus officinalis</i> Lam.
Molassesgrass— <i>Melinis minutiflora</i> Beauv.	Sweet vernalgrass— <i>Anthoxanthum odoratum</i> L.
Mustard, black— <i>Brassica nigra</i> (L.) Koch	Sweetvetch, northern— <i>Hedysarum boreale</i> Nutt.
Mustard, India— <i>Brassica juncea</i> (L.) Czernj. and Coss.	Switchgrass— <i>Panicum virgatum</i> L.
Mustard, white— <i>Sinapis alba</i> L.	Timothy— <i>Phleum pratense</i> L.
Napiergrass— <i>Pennisetum purpureum</i> Schumach.	Timothy, turf— <i>Phleum bertolonii</i> DC.
Needlegrass, green— <i>Stipa viridula</i> Trin.	

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Tobacco—*Nicotiana tabacum* L.
Trefoil, big—*Lotus uliginosus* Schk.
Trefoil, birdsfoot—*Lotus corniculatus* L.
Triticale—x *Triticosecale* Wittm.
(*Secale*×*Triticum*)
Vaseygrass—*Paspalum urvillei* Steud.
Veldtgrass—*Ehrharta calycina* J.E. Smith
Velvetbean—*Mucuna pruriens* (L.) DC. var.
utilis (Wight) Burck
Velvetgrass—*Holcus lanatus* L.
Vetch, common—*Vicia sativa* L. subsp. *sativa*
Vetch, hairy—*Vicia villosa* Roth subsp. *villosa*
Vetch, Hungarian—*Vicia pannonica* Crantz
Vetch, monantha—*Vicia articulata* Hornem.
Vetch, narrowleaf or blackpod—*Vicia sativa*
L. subsp. *nigra* (L.) Ehrh.
Vetch, purple—*Vicia benghalensis* L.
Vetch, woollypod or winter—*Vicia villosa*
Roth subsp. *varia* (Host) Corb.
Wheat, common—*Triticum aestivum* L.
Wheat, club—*Triticum compactum* Host
Wheat, durum—*Triticum durum* Desf.
Wheat, Polish—*Triticum polonicum* L.
Wheat, poulard—*Triticum turgidum* L.
Wheat×Agrotricum—*Triticum*×*Agrotriticum*
Wheatgrass, beardless—*Pseudoroegneria*
spicata (Pursh) A. Love
Wheatgrass, crested or fairway crested—
Agropyron cristatum (L.) Gaertn.
Wheatgrass, crested or standard crested—
Agropyron desertorum (Link) Schult.
Wheatgrass, intermediate—*Elytrigia intermedia*
(Host) Nevski subsp. *intermedia*
Wheatgrass, pubescent—*Elytrigia intermedia*
(Host) Nevski subsp. *intermedia*
Wheatgrass, Siberian—*Agropyron fragile*
(Roth) Candargy subsp. *sibiricum* (Willd.)
Meld.
Wheatgrass, slender—*Elymus trachycaulus*
(Link) Shinn.
Wheatgrass, streambank—*Elymus lanceolatus*
(Scribn. and J.G. Smith) Gould subsp.
lanceolatus
Wheatgrass, tall—*Elytrigia elongata* (Host)
Nevski
Wheatgrass, western—*Pascopyrum smithii*
(Rydb.) A. Love
Wildrye, basin—*Leymus cinereus* (Scribn. and
Merr.) A. Love
Wildrye, Canada—*Elymus canadensis* L.
Wildrye, Russian—*Psathyrostachys juncea*
(Fisch.) Nevski
Zoysia japonica—(see Japanese lawngrass)
Zoysia matrella—(see Manilagrass)

Animal and Plant Health Inspection Service (APHIS). The Animal and Plant Health Inspection Service of the U.S. Department of Agriculture.

APHIS inspector. Any employee of the Animal and Plant Health Inspection Service or any other individual authorized by the Administrator to enforce this part.

Coated Seed. Any seed unit covered with any substance that changes the

size, shape, or weight of the original seed. Seeds coated with ingredients such as, but not limited to, rhizobia, dyes, and pesticides are excluded.

Declaration. A written statement of a grower, shipper, processor, dealer, or importer giving for any lot of seed the kind, variety, type, origin, or the use for which the seed is intended.

Hybrid. When applied to kinds or varieties of seed means the first generation seed of a cross produced by controlling the pollination and by combining two or more inbred lines; one inbred or a single cross with an open-pollinated variety; or two selected clones, seed lines, varieties, or species. "Controlling the pollination" means to use a method of hybridization that will produce pure seed that is at least 75 percent hybrid seed. Hybrid designations shall be treated as variety names.

Import/importation. To bring into the territorial limits of the United States.

Kind. One or more related species or subspecies that singly or collectively is known by one common name, e.g., soybean, flax, or carrot.

Lot of seed. A definite quantity of seed identified by a lot number, every portion or bag of which is uniform, within permitted tolerances, for the factors that appear in the labeling.

Mixture. Seeds consisting of more than one kind or variety, each present in excess of 5 percent of the whole.

Official seed laboratory. An official laboratory member of the Association of Official Seed Analysts.

Pelleted seed. Any seed unit covered with a substance that changes the size, shape, or weight of the original seed in order to improve the plantability or singulation of the seed.

Person. Any individual, partnership, corporation, company, society, association, receiver, trustee, or other legal entity or organized group.

Port of first arrival. The land area (such as a seaport, airport, or land border station) where a person, or a land, water, or air vehicle, first arrives after entering the territorial limits of the United States, and where inspection of articles is carried out by APHIS inspectors.

Registered seed technologist. A registered member of the Society of Commercial Seed Technologists.

Screenings. Chaff, sterile florets, immature seed, weed seed, inert matter, and any other materials removed in any way from any seeds in any kind of cleaning or processing and which contains less than 25 percent of live agricultural or vegetable seeds.

State. Any State, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.

United States. All of the States.

Variety. A subdivision of a kind which is characterized by growth, plant, fruit, seed, or other characteristics by which it can be differentiated from other sorts of the same kind.

Vegetable seed. The seed of the following kinds and varieties that are or may be grown in gardens or on truck farms and are or may be generally known and sold under the name of vegetable seed:

- Artichoke—*Cynara cardunculus* L. subsp. *cardunculus*
- Asparagus—*Asparagus officinalis* Baker
- Asparagusbean or yard-long bean—*Vigna unguiculata* (L.) Walp. subsp. *sesquipedalis* (L.) Verdc.
- Bean, garden—*Phaseolus vulgaris* L.
- Bean, lima—*Phaseolus lunatus* L.
- Bean, runner or scarlet runner—*Phaseolus coccineus* L.
- Beet—*Beta vulgaris* L. subsp. *vulgaris*
- Broadbean—*Vicia faba* L.
- Broccoli—*Brassica oleracea* L. var. *botrytis* L.
- Brussels sprouts—*Brassica oleracea* L. var. *gemmifera* DC.
- Burdock, great—*Arctium lappa* L.
- Cabbage—*Brassica oleracea* L. var. *capitata* L.
- Cabbage, Chinese—*Brassica rapa* L. subsp. *pekinensis* (Lour.) Hanelt
- Cabbage, tronchuda—*Brassica oleracea* L. var. *costata* DC.
- Cantaloupe—(see Melon)
- Cardoon—*Cynara cardunculus* L. subsp. *cardunculus*
- Carrot—*Daucus carota* L. subsp. *sativus* (Hoffm.) Arcang.
- Cauliflower—*Brassica oleracea* L. var. *botrytis* L.
- Celeriac—*Apium graveolens* L. var. *rapaceum* (Mill.) Gaud.
- Celery—*Apium graveolens* L. var. *dulce* (Mill.) Pers.
- Chard, Swiss—*Beta vulgaris* L. subsp. *cicla* (L.) Koch
- Chicory—*Cichorium intybus* L.
- Chives—*Allium schoenoprasum* L.
- Citron—*Citrullus lanatus* (Thunb.) Matsum. and Nakai var. *citroides* (Bailey) Mansf.
- Collards—*Brassica oleracea* L. var. *acephala* DC.
- Corn, sweet—*Zea mays* L.
- Cornsalad—*Valerianella locusta* (L.) Laterrade
- Cowpea—*Vigna unguiculata* (L.) Walp. subsp. *unguiculata*
- Cress, garden—*Lepidium sativum* L.
- Cress, upland—*Barbarea verna* (Mill.) Asch.
- Cress, water—*Rorippa nasturtium-aquaticum* (L.) Hayek
- Cucumber—*Cucumis sativus* L.
- Dandelion—*Taraxacum officinale* Wigg.
- Dill—*Anethum graveolens* L.
- Eggplant—*Solanum melongena* L.
- Endive—*Cichorium endivia* L.
- Gherkin, West India—*Cucumis anguria* L.
- Kale—*Brassica oleracea* L. var. *acephala* DC.
- Kale, Chinese—*Brassica oleracea* L. var. *alboglabra* (Bailey) Musil
- Kale, Siberian—*Brassica napus* L. var. *pabularia* (DC.) Reichb.
- Kohlrabi—*Brassica oleracea* L. var. *gongylodes* L.
- Leek—*Allium porrum* L.
- Lettuce—*Lactuca sativa* L.
- Melon—*Cucumis melo* L.
- Muskmelon—(see Melon).
- Mustard, India—*Brassica juncea* (L.) Czernj. and Coss.
- Mustard, spinach—*Brassica perviridis* (Bailey) Bailey
- Okra—*Abelmoschus esculentus* (L.) Moench
- Onion—*Allium cepa* L.
- Onion, Welsh—*Allium fistulosum* L.
- Pak-choi—*Brassica rapa* L. subsp. *chinensis* (L.) Hanelt
- Parsley—*Petroselinum crispum* (Mill.) A.W. Hill
- Parsnip—*Pastinaca sativa* L.
- Pea—*Pisum sativum* L.
- Pepper—*Capsicum* spp.
- Pe-tsai—(see Chinese cabbage).
- Pumpkin—*Cucurbita pepo* L., *C. moschata* (Duchesne) Poiret, and *C. maxima* Duchesne
- Radish—*Raphanus sativus* L.
- Rhubarb—*Rheum rhabarbarum* L.
- Rutabaga—*Brassica napus* L. var. *napobrassica* (L.) Reichb.
- Sage—*Salvia officinalis* L.
- Salsify—*Tragopogon porrifolius* L.
- Savory, summer—*Satureja hortensis* L.
- Sorrel—*Rumex acetosa* L.
- Southernpea—(see Cowpea).
- Soybean—*Glycine max* (L.) Merr.
- Spinach—*Spinacia oleracea* L.
- Spinach, New Zealand—*Tetragonia tetragonoides* (Pall.) Ktze.
- Squash—*Cucurbita pepo* L., *C. moschata* (Duchesne) Poiret, and *C. maxima* Duchesne
- Tomato—*Lycopersicon esculentum* Mill.
- Tomato, husk—*Physalis pubescens* L.
- Turnip—*Brassica rapa* L. subsp. *rapa*
- Watermelon—*Citrullus lanatus* (Thunb.) Matsum. and Nakai var. *lanatus*